

Roster of Miscellaneous Zoning Code and Municipal Code Amendments

*Asterisk notes that amendment is not in the Houghton jurisdiction.

Date(s) note at which study sessions the amendment was reviewed.

NO POLICY CHANGES

These proposed amendments result in no changes to current policy but intend to clarify and fix inconsistencies within the code.

1. June 24 & 27, 2013 Clarify Height of 2nd Story above Garage - KZC Chapter 115 Section 115.115.3.o

Purpose: Clean up text in Chapter 115 related to garage height because the maximum allowed height for structures is already provided in the use zone chart for each zone.

Recommendation: Eliminate duplicative text in KZC 115.115.3.o.1)c) and 2)e) addressing garage height.

2. Delete reference to State Statutes for Schools and Daycares - Various use zone charts already being amended

Purpose: Clean up special regulations for schools, mini-schools, daycares and mini-daycares that reference out of date statutes.

Recommendation: Delete references to WAC Title 388 regulating schools and day cares in the applicable use zone charts.

3. June 24 & 27, 2013 Correct References to State Statute for Timeframe and for Exclusions from Timeframe for Approval of Development Permits – KMC Title 20 Section 20.12.010 (2) and 20.12.300

Purpose: Clean up KMC sections that reference an expired state statute.

Recommendation: Change KMC Section 20.12.010(2) and 20.12.300 to reference RCW 36.70B.080 instead of RCW 36.70B.090.

4. June 24 & 27, 2013 *Delete Repeated Reference to Horizontal Facade Regulation in PLA 6G – KZC Chapter 60 Section 60.87.130

Purpose: Clean up Special Regulation 3 in the PLA 6G zone to eliminate redundancy with General Regulation 3 in that zone.

Recommendation: Delete Section 60.87.130, Special Regulation 3.

5. Sept. 12, 2013*Add TL 1B Zone to Definition of Residential Zones – KZC Chapter 5 Section 5.10.785

Purpose: Clarify that the TL 1B zone in Totem Lake should be included in the list of defined Residential Zones.

Recommendation: Add TL 1B to KZC 5.10.785.

6. Sept. 12 & 23, 2013 Revise Definition of Development Permit – KZC Chapter 5 Section 5.10.215

Purpose: Clean up an outdated reference in the definition of development permit.

Recommendation: Replace "Uniform Building Code" with "KMC Title 21, Buildings and Construction" in KZC 5.10.215.

7. Sept. 12 & 23, 2013 **Correct the Terminology for Flag Lots – KZC Chapter 115 Section 115.115.5.a (1) (b).**

Purpose: Clarify section KZC 115.115 that addresses required yards for driveway and parking areas when abutting a flag lot in the same plat. Flag lot is a defined term describing certain types of lots, whereas access to a flag lot is through a panhandle. Panhandle is not a defined term.

Recommendation: Replace the term “panhandle lot” with “flag lot” in 115.115.5.a.1)b).

8. Sept. 12 & 23, 2013 **Delete Reference to Day Care Home Uses and Family Day-Care Home Uses in PLA 15B (KZC 60.175.3.b), PLA 16 (KZC 60.180.2.b) and PLA 17 (KZC 60.185.3.c).**

Purpose: Clean up three sections of the General Regulations of KZC Chapter 60 that reference family day care uses. Regulations for this use are located in Chapter 115.

Recommendation: Remove any reference to Day-Care Home and/or Family Day-Care Home uses in KZC 60.175.3.b, KZC 60.180.2.b and KZC 60.185.3.c.

MINOR POLICY CHANGES

The proposed amendments do not clarify existing regulations, but instead change them. However, they are generally not considered significant policy issues.

9. June 24 & 27, 2013 and Sept. 12 & 23, 2013 **Provide Time Limits for Tree Removal Permits Not Associated with Development Activity - KZC Chapter 95 Section 95.23.**

Purpose: To establish a reasonable and predictable timeframe within tree permits for the completion of tree removal.

Recommendation: Add a new subsection, KZC 95.23.4.c to add a one year time limit for tree removal to tree removal permits.

10. Sept. 12 & 23, 2013 **Allow Lots with Low Impact Development Standards as Part of a Conventional Subdivision – KZC Section 5.10.490.5 and 490.7 (new), Chapter 114 and KMC Title 22 Chapter 22.28.041**

Purpose: Change code provisions to allow a portion of lots within a subdivision to utilize the LID techniques, rather than requiring all lots to use them. Currently KZC 114 requires all lots in a plat to utilize LID storm water management standards to receive the benefits provided by this incentive. A more flexible approach may encourage increased utilization of preferred LID techniques.

Recommendation: Amend definition of Low Impact Development in 5.10.490.5, add a new definition of Low Impact Development Project Site in KZC 5.490.7, revise KZC Chapter 114.15 and 114.20, and amend KMC Chapter 22.28.041 accordingly.

11. Sept. 12 & 23, 2013 and Nov. 21, 2013 **Clarify Noise Regulations – KZC Chapter 115 Sections 115.25 and 115.95**

Purpose: Clarify the focus of the two Zoning Code sections that address noise.

Recommendation: Amend KZC 115.25 to address only noise generated by development (construction) activity and KZC 115.95 to address all other noise.

12. Sept. 12 & 23, 2013 and Nov. 21, 2013 Reorganize and Simplify Process IVA; “Fast Track” Zoning Code Amendments – KZC Chapter 161

Purpose: Reorganize and simplify the process for amending the Zoning Code for items that are not controversial and do not require policy study.

Recommendation: Amend and reorganize Chapter 161; move the 30 day comment period after the City Council review of the code amendment roster instead of before, and change the Planning Director process from a public hearing to a decision based on written testimony.

13. Sept. 12 & 23, 2013 Clarify that Subdivision Provisions May Allow Lot Size Reduction Beyond Minimum Lot Size in Zoning Code or Map – KZC Chapter 115 New Section 115.87

Purpose: Highlight the relationship between the subdivision regulations and zoning regulations by explicitly stating that lot size may be reduced if approved under a subdivision review process. The Zoning Code does not mention the possibility of a lot size reduction due to a subdivision approval.

Recommendation: Add a new section, KZC 115.87 Lot Size Flexibility.

14. Sept. 12 & 23, 2013 and Nov. 21, 2013 Clarify what is Included in Lot Size Calculations for Small Lot and Historic Preservation Subdivisions – KMC Title 22 Chapters 22.28.042(c) and 22.28.048(e).

Purpose: Consider whether to include narrow unbuildable portions of a flag lot in the lot size calculation of small lots in small lot single-family and historic preservation subdivisions.

Recommendation: Allow flag lots to be included in the calculation of lot size and floor area ratio (FAR) for the small lot.

MODERATE POLICY CHANGES

These are considered more substantive changes to existing regulations.

15. Nov. 21, 2013 Setback Requirements for Schools/Day Cares in Residential Zones in KZC Chapter 15, 17, 18, 20, 30, 55, 60.

Purpose: Consider reducing building setbacks for schools and day cares in residential zones in Kirkland, taking into account compatibility impacts to the neighborhood.

Recommendation: DO NOT change current setback standards for schools or day care centers because there is no compelling reason to do so.

16. Sept. 12, 2013 and Nov. 21, 2013 *Clustering and Aggregation of Undisturbed Area in Short Plats and Subdivisions in Holmes Point Overlay Zone – KZC Chapter 70 Section 70.15. and KZC 95

Purpose: Consider the requirement to preserve vegetation, soils, tree cover and wildlife habitat in aggregate rather than by individual lots in new plats as now required in the Holmes Point Overlay Zone. Clarify vegetation replacement and maintenance requirements in this zone.

Recommendation: Amend KZC 70.15 and KZC 95 to codify vegetation and maintenance requirements and establish standards for Protected Natural Areas on individual lots in the Holmes Point Overlay Zone. Do not require aggregation of Protected Natural Areas in plats.

17. Dec. 5, 2013 *Garage Setback Requirements for Detached Dwelling Units in Low Density Zones – KZC Chapter 115 Section 115.43

Purpose: Delete or simplify garage setback requirements.

Recommendation: Amend 115.43.3.a to change the garage setback requirement so that the garage may not extend closer to the right-of-way than the any other ground floor portion of the front façade of a house and KZC 115.43.5.a to add modification criteria.

18. Removed from roster

19. Nov 21, 2013 *Rounding of Fractions for Calculation of Density in Plats in RSA zones – KZC Chapter 115 Section 115.125 and Chapter 18 Section 18.10.010, and KMC Title 22 Section 22.28.030

Purpose: Restore King Co. rules which allow rounding of the number of lots in RSA zones in Juanita, Finn Hill and Kingsgate Neighborhoods when calculating for density.

Recommendation: Amend KZC 18.10.010 and KMC 22.28.030 to allow rounding up of the number of lots in RSA zones when the maximum number of lots results in a fraction of .50 or greater.

20. Sept. 12 & 23, 2013 Clarify Process to Amend the Text of the Zoning Code – KZC Chapter 135 and KZC Chapter 160 Process IV

Purpose: Establish a procedure for studying potential zoning code amendments that are not associated with a proposal to amend the Comprehensive Plan.

Recommendation: Amend several sections of both KZC Chapter 135 and 160 in order to add provisions for zoning code amendments not related to Comprehensive Plan amendments.

21. Sept. 12 & 23, 2013 Clarify Zoning Code Administration – KZC Chapter 170 Section 170.50

Purpose: Clarify the relationship between the Comprehensive Plan goals and policies and development regulations in the Zoning Code in a way that is consistent with the Growth Management Act.

Recommendation: Amend KZC 170.50 Conflict of Provisions to generally describe the Comprehensive Plan and Zoning Code and that the Zoning Code prevails in the event of a conflict between the two documents.

22. Sept. 12 & 23, 2013 Consider Time Limit For Appeal of Interpretations of The Zoning Code – Chapter 170 Sections 170.40 and 170.45

Purpose: Establish a time limit for an appeal of a formal Planning Director Zoning Code Interpretation.

Recommendation: Codify a time limit for an appeal of a formal Planning Director Zoning Code Interpretation consistent with Process I, establishing a 14 day appeal period from date of notice. Codify a process to notify interested parties of interpretation issuance and appeal procedures.

23. Sept. 12 & 23, 2013 and Nov. 21, 2013 Reduce Process for Zoning Decisions – Multiple Zones

Purpose: Review instances where there are opportunities to streamline Process I, IIA and IIB permits and consider reducing the required process, where appropriate.

Recommendation: 23.a) Reduce the review process for Minimum Lot Size in KMC 22.28.030(d) from Process IIB to the underlying plat process; 23.b) Reduce the review

process in Houghton for variances in KZC 120.10 related to detached dwelling units in any zone from Process IIA to Process I; 23.c) DO NOT change the review process for Schools, Daycares and Churches in Single Family zones; and 23.d) DO NOT change the review process for Schools, Daycares and Churches in Multi-family zones.

24. Dec. 5, 2013 Change to Landscape Buffer Requirements – KZC Chapter 5 Section 5.10.020

Purpose: Consider allowing more streets to serve as buffers between land uses instead of requiring landscape buffers. Currently only principal arterials are considered adequate separation between land uses so that landscape buffers are not required.

Recommendation: Amend the definition of “adjoining” (KZC 5.10.020) to include minor arterials. This will result in adding minor arterials as a street classification that can serve as a buffer instead of a required landscape buffer.

25. Sept. 12 & 23, 2013 and Nov. 21, 2013 Consider Screening Standards for Stand Alone Solar Arrays Accessory to Single Family Uses– KZC Chapter 115

Purpose: A recent installation of a stand-alone solar panel array has prompted concern about compatibility and visual impact. Consider whether screening or other dimensional standards are feasible and appropriate for the free standing arrays in residential settings. Also, consider whether solar arrays which track or move with the sun should be allowed.

Recommendation: Add a new section, KZC Chapter 115.137, to provide performance standards for ground mounted solar collectors in residential zones, including a six foot height limit with no limit on tracking arrays.

MAJOR POLICY CHANGES

These are considered substantive changes to existing regulations, and would either have significant policy implications or be a departure from how regulations are currently processed.

26. Removed from roster

27. Nov. 21, 2013 Eliminate or Revise Horizontal Facade Regulations

Purpose: Consider changing this regulation which limits the height and width of non-residential uses within 100 feet of a low density zone. Consider deleting the regulation, revising dimensions, deleting the application of the requirement on sites adjacent to ROW's and adding a modification provision.

Recommendation: Amend KZC 5.10.020 and .507, and Plate 38 and add a new section 115.136 to reduce the severity of regulations limiting the size of structures on parcels next to low density zones, and to simplify the code correspondingly. Reduce the area subject to the regulation from 100 to 30 feet abutting the low density zone. Eliminate KZC 115.30 and integrate portions from 115.30 pertaining to floor area ratio into KZC 115.42.